



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 900-9523/CONT/CONT/
DIV2/CONT.

Anticipated Classification
of this application:
Class _____ Subclass _____

Prior application:
Examiner J. Goldberg

Art Unit 1205

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a request for filing a xx continuation _____
divisional application under 37 CFR 1.60 of pending prior
application Serial No. 08/291,010 filed on August 15,
1994 of MAXIMILIAN GRASSBERGER/JOSEF G. MEINGASSNER/
ANTON STUTZ/ (Inventor(s))
PETER STUTZ for NEW USE OF 11,28-DIOXA-4-AZATRICYCLO[22.3.1.0^{4,9}]
(Title)

OCTACOS-18-ENE DERIVATIVES AND PHARMACEUTICAL COMPOSITIONS CONTAINING
THEM

1. xx Enclosed is a copy of the great-grandparent of the prior application, said great-grandparent being Serial No. 07/268,114 filed November 7, 1988, including the oath or declaration, as originally filed, said prior application having been filed under the provisions of Rule 60 as a continuation or divisional of application Serial No. 07/982,925, filed November 30, 1992. I hereby verify that the attached papers are a true copy of application Serial No. 07/268,114,

as originally filed on November 7, 1988
 and further that this statement was made with the
 knowledge that willful false statements and the like so
 made are punishable by fine or imprisonment, or both,
 under Section 1001 of Title 18 of the United States
 Code and that such willful false statements may
 jeopardize the validity of the application or any
 patent issuing thereon.

L.T.
 8/17/95
 #2/4

~~xx~~ in accordance with the indication required by 37 CFR
 1.60(b), the original signed declaration showing
 applicants signature was filed on January 12, 1989
 and a copy is enclosed.

2. xx The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS
 CANCELLED BY AMENDMENT BELOW

	NUMBER	RATE
	EXTRA	
Basic Filing Fee		= \$730
Total Number of Claims	<u>12</u>	- 20= x \$ 22 =
Number of Independent Claims	<u>1</u>	- 3= x \$ 76 =
Multiple Dependent Claim Fee		\$240 =
Total Filing Fee		\$730

3. xx The Commissioner is hereby authorized to charge to
 Deposit Account No. 19-0134 any fee not covered by a
 valid check which may be required in connection with
 this application with the exception of the issue fee
 (unless and until a signed issue fee transmittal form
 is filed). This authorization is not limited to
 payment of all or a portion of the filing fee, but is
 also intended to include, for example, all fees
 necessitated by the presentation of additional claims
 during prosecution, extension of time fees, petition
 fees, and the fees required upon the filing of a Notice
 of Appeal, an Appeal Brief and a Request for an Oral
 Hearing. The Commissioner is likewise authorized to
 credit any overpayment to said Deposit Account. A
 duplicate of this sheet is appended.

4. _____ A check in the amount of \$ _____ is enclosed.
5. _____ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
6. xx Amend the specification by inserting before the first line the sentence:

--This is a xx continuation _____ division of application Serial No. 08/291,010, filed August 15, 1994, which in turn is a _____ continuation xx division of application Serial No. 07/982,925, filed USP 5,366,971, now Nov. 30, 1992, which in turn is a xx continuation _____ division of application Serial No. 07/608,430, filed Nov. 2, 1990 which in turn is a xx continuation _____ division of application Serial No. 07/268,114, filed November 7, 1988, the latter two of which are now abandoned.--.

7. _____ Transfer the drawings from application Serial No. _____ to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
8. _____ New formal drawings are enclosed.
9. _____ The prior application is assigned of record to _____.
10. xx The power of attorney of application Serial No. 07/268,114, filed Nov. 7, 1988, is to

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<u> </u> Carl W. Battle	Reg. No. 30,731
<u>xx</u> Joseph J. Borovian	Reg. No. 26,631
<u> </u> John L. Chiatalas	Reg. No. 31,818
<u>xx</u> Thomas C. Doyle	Reg. No. 22,340
<u> </u> Diane E. Furman	Reg. No. 31,104
<u>xx</u> Robert S. Honor	Reg. No. 22,801
<u>xx</u> Melvyn M. Kassenoff	Reg. No. 26,389
<u> </u> Carol A. Loeschorn	Reg. No. 35,590
<u>xx</u> Thomas O. McGovern	Reg. No. 25,741
<u> </u> Michael P. Morris	Reg. No. 34,513
<u> </u> Andrew N. Parfomak	Reg. No. 32,431

a. xx The power appears in the original papers of application Serial No. 07/268,114

b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c.xx Address all future communications to
ROBERT S. HONOR.

11. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

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12. xx The priority of each of the following foreign patent application(s) ~~xx~~ are claimed in accordance with 35 U.S.C. 119:

AUSTRIAN APPLICATION NO. A2952/87, filed November 9, 1987

FEDERAL REPUBLIC OF GERMANY APPLICATION NO. P 37 42 805.5, filed December 17, 1987

xx The certified copy(s) of the above-identified priority application was filed on July 25, 1989 in prior U.S. patent application Serial No. 07/268,114, now abandoned.

June 6, 1995

Date

Thomas O McGovern

Thomas O. McGovern
Reg. No. 25,741 /
201-503-8480

Address of signator:

SANDOZ CORP.

59 Route 10

E. Hanover, N.J. 07936

 Inventor(s)

 Assignee of complete interest

xx Attorney or agent of record

 Filed under Rule 34(a)

TOM:lcr



Case No. 900-9523/CONT.2/DIV2/
CONT.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail Mailing Label Number TB723906128US

Date of Mailing June 6, 1995

I hereby certify that on the date indicated above
this application of

MAXIMILIAN GRASSBERGER/JOSEF G. MEINGASSNER/
ANTON STUTZ/PETER STUTZ

is being deposited with the United States Postal Service
as Post Office to Addressee Express Mail addressed to the
Commissioner of Patents and Trademarks, Washington, D.C.
20231 in accordance with 37 CFR 1.10.

A handwritten signature in black ink that reads "Linda C. Rothwell".

Signature of Person Mailing the Application

Linda C. Rothwell

Printed or Typed Name of Person Mailing the Application